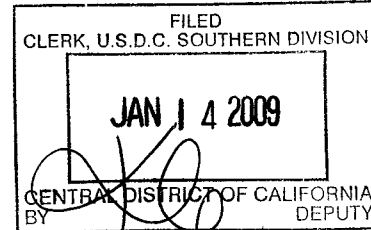


I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
FIRST CLASS MAIL. POSTAGE PREPAID, TO ALL COUNSEL Petitioner
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
RECORD IN THIS ACTION ON THIS DATE.

DATED: 1/14/09
DEPUTY CLERK



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

EDWARD WHITE, JR.,	} Case No. EDCV 06-0473-DOC (RNB)
Petitioner,	
vs.	
ROY A. CASTRO, Warden,	
Respondent.	} ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. Objections to the Report and Recommendation have been filed by petitioner. Having made a de novo determination of those portions of the Report and Recommendation to which objections have been made, the Court concurs with and adopts the findings, conclusions, and recommendations of the Magistrate Judge.¹

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¹ To the extent that petitioner has purported to raise for the first time in his objections unexhausted prosecutorial misconduct and ineffective assistance of appellate counsel claims, the Court declines to consider such claims. Cf. Cacoperdo v. Demosthenes, 37 F.3d 504, 507-08 (9th Cir. 1994) ("A Traverse is not the proper pleading to raise additional grounds for relief."), cert. denied, 514 U.S. 1026 (1995).

1 IT THEREFORE IS ORDERED that Judgment be entered denying the Petition
2 and dismissing this action with prejudice.

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4 DATED: January 12, 2009

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6 David O. Carter
7 DAVID O. CARTER
8 UNITED STATES DISTRICT JUDGE
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